

A DAY IN HAWAII'S LEGISLATURE

J. Emmeluth Is Called Down.

HE ATTACKS THE NATIVES

Running Fire of Debate in the House Yesterday.

REPRESENTATIVE BECKLEY of Molokai administered a stinging rebuke to Representative Emmeluth of Oahu in the House yesterday morning. The member from Molokai called the plumber statesman to task for his criticism of the Kamehameha schools during the discussion of the "Desertion of Husbands or Wives" bill. The Molokai statesman did not mince his words. They were delivered with a directness that almost staggered the solons and caused something of a commotion as soon as the speaker had finished and as the Oahu member was about to arise to reply. Several members jumped to their feet, calling for order, and some raised their voices shrilly demanding that the regular business of the day be resumed, and the speaker had to call loudly to bring the House to its proper dignity. Mr. Emmeluth said the Hawaiians and the native members of the House are clinging to the old law relating to husbands' and wives' desertion and to the methods of education which had been carried on in Hawaii for the past forty years. He said the Hawaiians were educated to aspire to certain ideals which they could not realize when they went out into the world after leaving the schools, as nearly all the places where good salaries are paid were closed to the natives. He cited the Kamehameha schools as a glaring instance of the truth of his remarks and said they retarded Hawaiian development instead of assisting it.

THE LIVELY HOUSE DEBATE

Does a Native Learn Much at Kamehameha Schools?

SOLONS of the House were a broad smile yesterday morning when Sergeant-at-Arms Nakoookoo distributed on the desk of each a 1 sheet of 2-cent stamps. Perquisites of this character were totally unexpected, although Representative Kekaula soberly introduced a motion in the House last week asking for \$2 worth of Uncle Sam's 2-cent pasters. That the request was cut in half did not disturb the legislators to any extent, for they were as pleased as children. Some of them commenced letter-writing at once.

Immediately after the adoption of the clerk's minutes of the previous day Kekaula asked for the consideration of the report of the Superintendent of Public Works on the Hookana, South Kona, Hawaii, wharf and shed resolution introduced by himself. The matter was taken up at once.

Kekaula moved the report be placed in the hands of the Committee on Public Improvement. Mahoe was of the opinion that matters could be expedited by referring the matter. He did not favor its consideration in the committee of the whole under any circumstances. The House ordered it to the Public Improvement Committee.

Under the call for petitions and memorials, Ewaliko presented a petition from twenty-six voters of the Island of Hawaii. Some of the requests contained in the petition were unique. They wanted the Legislature to provide for the education of Hawaiian youths abroad, wanted the repeal of laws relating to "suspicious cases" of leprosy, and, above all things, asked for a provision whereby Hawaiians' licenses would be granted by physicians. The petition was as follows:

"We, the undersigned qualified voters residing in the Third Precinct, First District, Island of Hawaii, humbly ask for the consideration and approval of the following prayers: First, to repeal that



HAWAIIAN LEGISLATOR---Sam, it's no use; we're going to abolish you.

section of the Act to suspicious cases. Second, to repeal the personal tax. Third, to repeal the vaccination law. Fourth, to provide an Act for the education of Hawaiian youths abroad. Fifth, to provide an Act for the granting of licenses to Hawaiians to practice medicine. Sixth, to provide an Act that the Hawaiian language may be taught in the public schools.

The fifth provision is believed to relate to the tolerance of the practice of kahunism.

Ewaliko moved the petition be referred to the Committee on Miscellaneous Matters. So ordered.

Robertson presented the following petition from the Inter-Island Steam Navigation Company, asking reimbursement for part as follows: That on October 13, 1899, the petitioner paid to the Collector General of Customs of the Republic of Hawaii the sum of \$163.50 for the following purposes: Coasting license steamer Kihohana, \$122.50; lights, \$24; blanks and stamps, \$7. The amount was paid to cover the expenses of a coasting license for the Kihohana for one year from October 13, 1899, to October 13, 1900. The steamer was wrecked and became a total loss at Lahaina, Maui, on December 12, 1899. The petitioner requested the return of \$136.25, being about the expense of said coasting license from December 12, 1899, to October 13, 1900, but was informed by him that he had no power to return any portion of the \$163.50. Wherefore petitioner prays relief in the sum of \$136.25 from the Legislature.

Emmeluth objected to the petition being referred to the Judiciary Committee. It properly belonged to the Finance Committee. He registered a kick at having everything and anything shoved upon the Judiciary Committee members. He intimated that several of the members had little or no conception of the duties and powers of the various committees.

Mahoe presented an adverse report from the Miscellaneous Committee relative to Dickey's "desertion of husband or wife" bill. The committee gave its reasons for recommending that the bill be killed, as follows:

"Your Committee on Miscellaneous Matters, to whom was referred House Bill 26, introduced by C. H. Dickey of Makawao, entitled An Act to Repeal Section 1 of Chapter 56 of the Penal Laws of 1899 and Chapter 36 of the Session Laws of 1899, beg leave to report as follows:

"After a careful study of the laws now in force on desertion, and after carefully studying these sections by white people or Chinese, your committee has seen fit that if these sections are repealed, then there will arise more disagreements between husband and wife because of the absence of such a law. Therefore your committee recommends that the sections now in existence with reference to desertion be left as they stand, and we beg leave to

recommend that Act 26 be rejected. S. K. Mahoe, chairman; W. Mossman, Jr., J. W. Keiki, Jr., J. K. Kauiwai, J. K. Hihio."

Dickey strongly objected to his bill being "killed." He said the Organic Act had repealed the law in regard to contract labor. If a man deserted his labor while under contract he could be jailed and returned to his employers. It was his opinion the wives of the legislators and all persons in Hawaii were of more importance than contract laborers. The law was the relic of the dark ages, and he did not believe it could be found in the statute books of any other nation.

Mossman said that according to the views of Dickey, he had reference to contract laborers entirely opposite to the report of the committee. The report was signed by the whole committee, and if the bill was passed he was certain that in future there would be disagreements between husbands and wives. It would enable all Chinese who had married native wives to desert the latter and go back to China. This will bring hardship when their husbands desert them. The bill would create domestic infidelity without end and he moved to adopt the report.

Emmeluth said the remarks had brought to his mind an interesting state of affairs in this community and he favored the report being laid on the table to be considered again today. He was not personally familiar with the law, and no vote should be called until every member was fully cognizant of the law on the subject. The motion was lost.

Mahoe said the law on desertion was made in 1898, with a few minor changes made since. Everybody was familiar with it, and if the bill was passed, the husband could not get his wife back if she deserted him and vice versa. He would have thought it better if Dickey had brought in a bill to do away with marrying. Mahoe continued to offer ridiculous suggestions. He said a marriage contract was made before the Almighty and should, of course, be strictly adhered to.

Robertson thought it strange the Hawaiians should stick to this old law so tenaciously. It had been repealed before. The statute, he thought, had been enforced too long. The Hawaiians had begun to believe that it was necessary in order to have the husband or wife spend a little time in jail. If a wife was not faithful, and desired to leave a husband, the latter should let her go, and not put her in jail and make scandal. The statute is not used by white people or Chinese, but only by Hawaiians and Japanese. The former usually resort to the divorce courts.

He said the Attorney General had recommended the repeal of the law on the ground that it was barbarous, because it provided that for a second desertion a husband or wife could be imprisoned for

two years. Robertson said if the Hawaiians desired to obtain the advantages of the Organic Act they should adapt themselves more to the customs of the United States. He believed the old law was at variance with the Constitution. The members should think twice.

Emmeluth said the matter of the relation of husband and wife is one which finds its foundation in the methods employed in raising and educating Hawaiian children for the past fifty years. He cited instances of this at the Kamehameha Schools. They are educating them to certain ideals. The difficulty in the past, as today, was that with the education there is not that education for paying the way of satisfying these higher ideals. The expense of living is on the increase with them as they are educated. Their wants become greater. Co-existent with this condition in education is that almost every avenue being closed to Hawaiians by reason of the agricultural development of the country being done by a cheap class of labor.

It is no wonder that the Hawaiians have clung to laws that would seem to give them protection in their home life. He wanted the law wiped off the statute books. He inquired how faithfulness balances when he earns \$10 a week with a wife who is educated to \$15 a week. It was not the fault of the husband or wife, but the fault of the institutions of the country. He thought that the crime has been on the part of the interloper and not to the persons whose affections have been alienated.

Kanoho, "the wise man of Kohala," moved to adopt the report. As to the contentions of the former speaker that only disagreements occurred in Hawaiian families, he said that all nationalities were involved in domestic imbroglios. With the usual native method of argument, Kanoho said he read the newspapers and knew whereof he spoke. He referred to the haole who were killed, hanged and pursued all for love of husbands or wives. As the law was not repealed by Congress, it must be a good one, and not being repealed was not unconstitutional. The former speakers were like fishermen that cast their hooks in the sea covered with bait. The speaker drifted into Biblical history and compared Emmeluth to so many important personages of the past that the plumb line's countenance blushed. The Legislature was trying to compare the Hawaiian people to bulls and heifers in introducing a bill like Dickey's.

Makekau naturally had to say something. "To whom are you speaking?" inquired the Speaker.

"Oh, I beg pardon, I forgot to give you your title," said the member apologetically.

(Continued on Page 12.)

AT AUCTION
BY WILL E. FISHER
AUCTIONEERREAL ESTATE
At Auction

IN THE DISTRICT COURT OF THE United States for the Territory of Hawaii.—In Bankruptcy:

In the Matter of J. A. BUTTERFIELD, Bankrupt.

To the Creditors of J. A. BUTTERFIELD, of Honolulu, Island of Oahu, and District Aforesaid, a Bankrupt:

PUBLIC NOTICE OF SALE OF PROPERTY OF ABOVE NAMED BANKRUPT:

Take notice that there will be sold at public auction on Saturday, the 16th day of March, 1901, at 12 o'clock noon, at the auction rooms of Will E. Fisher, corner of Merchant and Alakea streets, Honolulu aforesaid, all the right, title and interest of said J. A. Butterfield, bankrupt, in and to the following lots, pieces and parcels of land, together with the buildings and improvements thereon, to-wit:

Lots 12 and 13, situated at Pāwaa, Punahou, Oahu. Said property will be sold to the highest bidder for cash, subject to the approval of the District Court of the United States for the Territory of Hawaii in Bankruptcy, pursuant to the order of the Honorable Morris M. Estee, judge of said court.

Dated this first day of March, A. D. 1901. GEO. A. DAVIS, Trustee of J. A. Butterfield, a Bankrupt.

WILL E. FISHER, Aucr.

Boardman
Homestead

Real Estate For Sale.

THIS MAGNIFICENT BLOCK OF REAL ESTATE as per the following diagram for sale as a whole or in subdivisions:

J. F. Hackfeld Esq.				John Wrig Esq.	
LUNALILO STREET					
75	75	75	75	KAPOLANI STREET	Theo. Richards Esq.
4	3	2	1		
			190		
(Small St.)					
			20		
5	6	7	8		
			190		
75	75	75	75		
KINAU STREET.					
O. E. Hustace Esq.				C. M. Cooke Esq.	

No property offered here in Honolulu presents the same opportunities for desirable building lots as the above—elevated as it is—possessing an unobstructed panoramic marine view of the ocean, harbor and Honolulu, its proximity to the business center, its transit facilities on the line of the proposed electric line, within a block of the Beretania street cars, and in the neighborhood of the best residences of this city makes this site exceptionally desirable for residence purposes.

Terms most liberal—one-third cash (if desired), balance in equal payments in one and two years at 7 per cent interest only on deferred payments. Further particulars of

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P. R. ISENBERG, President.

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